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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 CANDY C. CARSNER,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL,

14 Defendant.

CASE NO. C17-5280-JLR

ORDER

15 I. INTRODUCTION

16 This matter comes before the court on the Report and Recommendation of United  
17 States Magistrate Judge Mary Alice Theiler (R&R (Dkt. # 17)) and Candy C. Carsner's  
18 objections thereto (Objections (Dkt. # 21)). Having carefully reviewed all of the  
19 foregoing, along with all other relevant documents, and the governing law, the court  
20 ADOPTS the Report and Recommendation (Dkt. # 17) and DISMISSES Ms. Carsner's  
21 complaint with prejudice.  
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## II. STANDARD OF REVIEW

A district court has jurisdiction to review a Magistrate Judge's report and recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." *Id.* "A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). The court reviews de novo those portions of the report and recommendation to which specific written objection is made. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). "The statute makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise." *Id.* When no objections are filed, the court need not review de novo the report and recommendation. *Wang v. Masaitis*, 416 F.3d 992, 1000 n.13 (9th Cir. 2005).

## III. DISCUSSION

The Plaintiff's objection to the Report and Recommendation asserts that the Administrative Law Judge's ("ALJ") Step Five Findings were not supported by substantial evidence. (Objections at 1.)

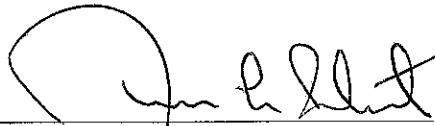
Plaintiff's objection doesn't raise any novel issue that was not addressed by Magistrate Judge Theiler's Report and Recommendation. Moreover, the court has thoroughly examined the record before it and finds the Magistrate Judge's reasoning persuasive in light of that record. Plaintiff essentially reargues the arguments she made to Magistrate Judge Theiler, and the court independently rejects them for the same reasons as Magistrate Judge Theiler.

1 IV. CONCLUSION

2 For the foregoing reasons, the court hereby ORDERS as follows:

- 3 (1) The court ADOPTS the Report and Recommendation (Dkt. # 17) in its  
4 entirety;  
5 (2) The court DISMISSES Plaintiff's Complaint (Dkt. # 3) with prejudice; and  
6 (3) The court DIRECTS the Clerk to send copies of this Order to Plaintiff, to  
7 counsel for Defendant, and to Magistrate Judge Theiler.

8 Dated this 21<sup>st</sup> day of November, 2017.

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10 JAMES L. ROBART  
United States District Judge